# IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 137 OF 2005

PRADEEP MADHUKAR POINGUINKAR,CANACONA GOA ....Applicant

Versus

SHRI MANGUESH KUTTALKAR AND ANR., ....Respondents

Shri Sudin M.S. Usgaonkar, with Ms. G. Kale, Advocates for the applicant.
Shri M. Salkar, Advocate for respondent no.1

Coram:- N. A. BRITTO, J.

Date:- 28th September, 2005

P.C.

Heard Shri Usgaonkar, the learned Counsel on behalf of the applicant/complainant and learned Advocate Shri Salkar on behalf of the respondent no.1/accused. The learned J.M.F.C. had held that notice as required under Section 138(c) was duly served on the accused and that finding has been reversed by the learned Additional Sessions Judge. The matter requires consideration. Hence special leave to appeal granted. Appeal to be registered. Preparation of the paper book is dispensed with. Appeal to be heard on 5th October, 2005.

N. A. BRITTO, J.

/vpf